

**ORDINANCE NO. 20060309-026**

**AN ORDINANCE GRANTING A WAIVER FOR PROPERTY LOCATED AT 2308 WEST 9<sup>TH</sup> STREET FROM CERTAIN INTERIM DEVELOPMENT REGULATIONS PRESCRIBED BY ORDINANCE NO. 20060216-043 FOR CONSTRUCTION OF A DUPLEX.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** This ordinance applies to the construction of a 3,996 square foot duplex located at 2308 West 9<sup>th</sup> Street.

**PART 2.** Applicant has filed a waiver application requesting that Council waive Part 3(2) of Ordinance No. 20060216-043 which limits construction of a new duplex on a lot where a structure has been or will be demolished or relocated to the greater of the following:

- (A) 0.4 to 1 floor-to-area ratio;
- (B) 2,500 square feet; or
- (C) the existing size plus 1,000 square feet, if the applicant has been granted a homestead exemption for the duplex.

**PART 3.** Council has considered the factors for granting a waiver from interim development regulations prescribed by Ordinance No. 20060216-043. Council finds that such a waiver is justified because:

- (A) the development limitation imposes undue hardship on the applicant; and
- (B) the development proposed by the applicant will not adversely affect the public health, safety, and welfare.

**PART 4.** A waiver is granted from Part 3(2) of Ordinance 20060216-043 to allow the construction of a 3,996 square foot duplex located at 2308 West 9<sup>th</sup> Street.

**PART 5.** This ordinance takes effect on March 20, 2006.

**PASSED AND APPROVED**

\_\_\_\_\_ March 9 \_\_\_\_\_, 2006

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Will Wynn  
Mayor

**APPROVED:**

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David Allan Smith  
City Attorney

**ATTEST:**

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Shirley A. Gentry  
City Clerk